

1 SB253
2 165573-1
3 By Senator Whatley
4 RFD: Judiciary
5 First Read: 17-MAR-15

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8 SYNOPSIS: This bill would provide that military
9 deployment of a parent may not be considered by a
10 court as the sole factor in making an original
11 child custody determination or a modification.

12 This bill would also specify that any
13 continuance or stay of a child custody case
14 pursuant to the Federal Servicemembers Civil Relief
15 Act may include a pendente lite custody
16 determination order.

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18 A BILL
19 TO BE ENTITLED
20 AN ACT

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22 Relating to child custody; to prohibit military
23 deployment of a parent from being the sole factor in a child
24 custody determination; and to authorize the court to enter a
25 pendente lite order.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. (a) A military deployment, including
2 past, previous, or future deployments, may not be considered
3 by the court as the sole factor when making an original child
4 custody determination, or in modifying an existing child
5 custody determination, in any proceeding involving any person
6 who has sought, or is seeking, custodial rights to, or
7 visitation rights with, a child.

8 (b) Any order granting a continuance or stay of a
9 child custody case granted pursuant to the Federal
10 Servicemembers Civil Relief Act, 50 App. U.S.C. Sections 501
11 to 596, inclusive, may include a pendente lite custody
12 determination order.

13 (c) Nothing in this section shall be construed so as
14 to limit or expand the legal rights of any person under any
15 existing law.

16 Section 2. This act shall become effective
17 immediately following its passage and approval by the
18 Governor, or its otherwise becoming law.